

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**INTERNATIONAL IP HOLDINGS,  
LLC**, a Michigan limited liability  
company, and **INNOVATION  
VENTURES, LLC**, a Michigan limited  
liability company,

Plaintiffs,

CASE NO. 19-11716  
HON. DENISE PAGE HOOD

v.

**VITAMIN ENERGY, LLC**, a Delaware  
limited liability company,

Defendant.

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**ORDER GRANTING DEFENDANT’S EMERGENCY MOTION FOR  
PROTECTIVE ORDER [#18]**

This matter comes before the Court on Defendant Vitamin Energy, LLC’s (“Defendant”) Emergency Motion for Protective Order and Motion for Stay, filed on November 21, 2019. [ECF No. 18] Defendant filed its Motion for Judgment on the Pleadings on November 7, 2019, and the Court will hear oral arguments on that motion on January 15, 2020. Plaintiffs International IP Holdings, LLC (“International IP Holdings”) and Innovation Ventures, LLC (“Innovation Ventures”) (collectively “Plaintiffs”) filed a Complaint on June 10, 2019 [ECF No. 1]. On November 27, 2019, Plaintiff filed a Motion for Leave to File Amended

Complaint. [ECF No. 19] The Court will also hear arguments on Plaintiff's Motion for Leave to File Amended Complaint on January 15, 2020.

On November 18, 2019, the Court entered a Scheduling Order setting a deadline for initial disclosures of December 2, 2019 and a discovery deadline of June 1, 2020. [ECF No. 17] Defendant promptly filed the instant motion, which seeks to stay all discovery pending the Court's ruling on Defendant's Motion for Judgment on the Pleadings. [ECF No. 14]

The Court has "broad discretion and inherent power to stay discovery until preliminary questions that may dispose of the case are determined." *Hahn v. Star Bank*, 190 F.3d 708, 719 (6th Cir. 1999) (citing *Landis v. North Am. Co.*, 299 U.S. 248, 254-55 (1936)). If resolved in Defendant's favor, Defendant's Motion for Judgment on the Pleadings would dismiss the Complaint on the merits. Defendant is also unaware of Plaintiffs' amended claims, which will only be known following the Court's hearing on the matter. Because of Defendant's pending Motion for Judgment on the Pleadings and Plaintiffs' Motion for Leave to File an Amended Complaint, Plaintiffs are unable to show they would be substantially prejudiced if Defendant's Motion is granted. *Cochran v. United Parcel Serv., Inc.*, 137 F. App'x 768, 772 (6th Cir. 2005). The Court GRANTS Defendant's Motion and shall stay all discovery pending the Court's ruling on both Defendant's Motion for Judgment on the Pleadings and Plaintiffs' Motion for Leave to File an Amended Complaint.

For the reasons set forth above,

IT IS HEREBY ORDERED that Defendant's Emergency Motion for Protective Order is GRANTED.

DATED: December 20, 2019

s/Denise Page Hood  
DENISE PAGE HOOD  
Chief United States District Judge